

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

AMSTED INDUSTRIES INCORPORATED

Plaintiff,

v.

No. 11-cv-659-DRH-SCW

**STANDARD CAR TRUCK
COMPANY, INC., WESTINGHOUSE
AIR BRAKE TECHNOLOGIES
CORPORATION, CKD KUTNA
HORA, A.S, and OMNICAST, LLC,**

Defendants.

ORDER

HERNDON, Chief Judge:

Before the Court is plaintiff's notice of voluntary dismissal without prejudice as to defendant CKD Kutna Hora, A.S. (Kutna Hora) pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1) (Doc. 89). As plaintiff states, voluntary dismissal without prejudice under Rule 41(a)(1) is appropriate as defendant Kutna Hora has not yet answered the complaint. The notice seeks dismissal without prejudice of defendant Kutna Hora only. The Court hereby **ACKNOWLEDGES** said notice and holds that defendant Kutna Hora is hereby **DISMISSED WITHOUT PREJUDICE** from this suit.

IT IS SO ORDERED.

Signed this 21st day of February, 2012.

 David R. Herndon
2012.02.21
14:59:10 -06'00'

**Chief Judge
United States District Court**